GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA

UNSTARRED QUESTION NO:6147
ANSWERED ON:11.04.2017
Benefits for Physically Handicapped
Somaiya Dr. Kirit

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that only 40% disabilities makes a person eligible to get the benefit of physically handicapped quota/facilities and if so, the details thereof;

(b) whether a person who lost any parts of his body except eye is treated as handicap with 40% disabilities and if so, the details thereof;

(c) whether a person who lost one of his eyes is treated as handicap with 30% disabilities and is eligible to get the benefit of physically handicapped quota/facilities;

(d) if so, whether the Government is likely to review its policy guidelines so as to remove this discrepancy and make necessary changes in the said policy; and
(e) if so, the details thereof?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT

(SHRI KRISHANPAL GURJAR)

(a) As per Section 2(t) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (PwD Act, 1995), "person with disability" means a person suffering from not less than forty percent of any disability as certified by a medical authority. The provisions of the said Act which includes provision for reservation in government jobs are applicable to person with disability who conforms to this definition.

(b) The Ministry notified the guidelines for evaluation of various disabilities, namely, visual impairment, locomotor/orthopaedic disability, hearing impairment, mental retardation and multiple disability and procedure for certification on 1st June, 2001. While locomotor disability is assessed on the basis of permanent physical impairment (upper limb/lower limb/spine) or loss of limbs, and functional limitation caused due to such impairment or loss, visual impairment is assessed on the basis of the visual acuity in the better eye and worse eye.

As per these guidelines whereas a persons with amputation of all toes is assessed as 20% disability, a person with amputation up to mid foot can be assessed as 40% disability.

(c) As per the above stated guidelines, a person having normal vision in one eye and nil or field vision of 10 degree in the other eye is assessed as 30% disability. Therefore, such persons cannot be treated as persons with disability in terms of Section 2(t) of the PwD Act, 1995. Thus, the benefits including reservation in Government vacancies are not applicable to them.

(d) & (e) The guidelines for assessment of various disabilities were framed on the basis of recommendation of an expert Committee. There is no discrepancy in assessment of extent of disability across various categories of disabilities.

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